

AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 6, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ABEYANCE - GPA-18776 - APPLICANT/OWNER: CARLOS
AVEMARIA**

***THIS ITEM WAS HELD IN ABEYANCE FROM THE MAY 16, 2007 CITY COUNCIL
MEETING AT THE REQUEST OF THE APPLICANT.***

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend APPROVAL.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request to amend a portion of the Southwest Sector Plan of the General Plan from R (Rural Density Residential) to SC (Service Commercial) on 0.61 acres at 5200 Vegas Drive. This site meets the intent of the SC (Service Commercial) Land Use category which allows low to medium intensity retail, office, or other commercial uses that serve primarily the local area patrons and do not include more intense general commercial characteristics; therefore, staff recommends approval.

There are three companion items that are associated with this applicant, a Rezoning (ZON-18773) from O (Office) and R-D (Single Family Residential Restricted) to C-1 (Limited Commercial), a Special Use Permit (SUP-18774) and Site Development Plan Review (SDR-19330) for an existing 1,548 square-foot office building.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
10/01/03	The City Council approved the Annexation [A-0022-01(A)] of property described generally as located on the north side of Vegas Drive, approximately 735 feet east of Michael Way.
12/28/05	Code Enforcement opened a case #37233 citing an inoperable motor home in the backyard. The case was closed.
09/01/06	Code Enforcement opened a case #45987 citing the property owner for illegal storing of trailers, dump trucks and inoperable vehicles in the back yard. In addition, the site is not zoned for a commercial business. The case is still open.
04/12/07	The Planning Commission recommended approval of companion items ZON-18773; SUP-18774 and SDR-19330 concurrently with this application. The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #21/jm).
<i>Related Building Permits/Business Licenses</i>	
12/28/06	A Non-work Certificate of Occupancy approved for Nevada First DMV services (Business license #P27-00266) under the Plan Check #L1464-06.
<i>Pre-Application Meeting</i>	
01/12/07	A pre-application conference was held and elements of this development were discussed. It was noted that the proposed use is not permitted within the existing zone, that a General Plan Amendment, Rezoning, Site Development Review would be necessary, and that a Special Use Permit would be required. In addition, the applicant was informed that Waivers for perimeter landscaping would be required if he was to keep the site the same.

<i>Neighborhood Meeting</i>	
01/02/07	<p>A neighborhood meeting was held at 5:30 PM at Buenos Aires Air, 5200 Vegas Drive. Seven members of the public attended. The business has been operating business for two years at the site. Questions mentioned at the meeting pertained to the following:</p> <ul style="list-style-type: none"> • Wall • Access to Marietta • Chemical storage • The storage of heavy equipment would only be vans • Hours of operation are 7:00 AM to 5:00 PM, 10 employees • Trailers to be removed and no on-site manufacturing.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.61

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Commercial HVAC	R (Rural Density Residential)	O (Office) & R-D (Single Family Residential Restricted)
North	Single Family Residential	R (Rural Density Residential)	R-1 (Low Density Residential)
South	Duplex	M (Medium Density Residential)	R-3 (Medium Density Residential)
East	Clark County	R (Rural Density Residential)	Clark County
West	Group Home Facility	R (Rural Density Residential)	R-E (Residence Estates)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	Y
A-O Airport Overlay District (105 feet)	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

ANALYSIS

The request is for a General Plan Amendment from R (Rural Density Residential) to SC (Service Commercial). The subject site has an existing office building on the southern portion of the site. The proposed SC (Service Commercial) Land Use designation allows low to medium intensity retail, office, or other commercial uses that serve primarily the local area patrons and do not include more intense general commercial characteristics. Examples include neighborhood shopping centers, theaters, bowling alleys and other places of public assembly and public and semi-public uses. This category also includes offices either individually or grouped as office centers with professional and business services.

The property gains access from Vegas Drive, an 80-foot Secondary Collector as designated by the Master Plan Streets and Highways, which is an adequate thoroughfare for the commercial zone requested.

FINDINGS

Section 19.18.030.I of the Las Vegas Zoning Code requires that the following conditions be met in order to justify a General Plan Amendment:

1. The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations,
2. The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts,
3. There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and
4. The proposed amendment conforms to other applicable adopted plans and policies that include approved neighborhood plans.

In regard to “1”:

The proposed General Plan Amendment is compatible with the surrounding land uses. This site meets the intent of the SC (Service Commercial) Land Use category which allows low to medium intensity retail, office, or other commercial uses that serve primarily the local area patrons and do not include more intense general commercial characteristics. The property gains access from Vegas Drive, an 80-foot Secondary Collector as designated by the Master Plan Streets and Highways, which is an adequate thoroughfare for the commercial zone requested.

In regard to “2”:

The proposed rezoning to C-1 (Limited Commercial) would be consistent with the existing office establishment and proposed SC (Service Commercial) General Plan designation.

In regard to “3”:

The transportation and utility facilities to this site are adequate enough to accommodate the use proposed by this general plan amendment.

In regard to “4”:

This request conforms to the applicable, adopted plans and policies for this area.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

7

ASSEMBLY DISTRICT 6

SENATE DISTRICT 4

NOTICES MAILED 370 by Planning Department

APPROVALS 1

PROTESTS 0